

**JOHN C. BRINK**  
LAWYER  
3730 EDMUND BOULEVARD  
MINNEAPOLIS, MINNESOTA 55406  
CELLULAR (612) 382-6789  
Email: johncharlesbrink@gmail.com

28 February 2025

The Honorable Patrick J. Schiltz  
Chief Judge  
U.S. District Court for the District of Minnesota  
Chambers Suite 1500  
Diana E. Murphy United States Courthouse  
300 South Fourth Street  
Minneapolis, Minnesota 55415

Re: United States of America vs. Jerry Hal Saliterman  
Docket No. Criminal No. 24-72

Dear Judge Schiltz:

In its Order of 29 January 2025 (Docket 43) the Court required that “Counsel for the defendant is directed to file a status update as to the defendant’s physical condition on February 28, 2025.” Order at 1.

To comply with the Court’s directive, defense counsel has reviewed the 18 February 2025 M-Health Fairview Hospital twenty-page Summary discharging Defendant that day to Episcopal Homes Gardens Hospice Facility, 1860 University Avenue, St. Paul, after being hospitalized continuously from 4 January 2025. (Copy provided to AUSA Greenley.) The discharge report states, “Patient’s overall prognosis is poor. Patient has been seen by Palliative Care. Patient is DNR/DNI.” Discharge Summary at 2. Counsel also spoke with staff of M-Health Fairview during Defendant’s six-week hospitalization and after his discharge. Counsel also met with attending staff at the hospice facility and received the attached letter from Dr. Benjamin Rosenstein, Defendant’s attending physician at the hospice facility, with his opinion on 26 February 2025 as to Defendant’s condition and ability to travel to and appear in court.

Defense counsel’s opinions, lay as they are, follow.

Defendant is competent. He is oriented as to time, place, and circumstance, the roles of the Court, prosecution counsel, defense counsel, the status of his matter, and choices going forward. He has executed medical releases of information forms for both M-Health Fairview hospital and the Episcopal Homes hospice facility.

The logistics of getting him to court are staggering to counsel. He would need assistance dressing, into a wheel-chair, some form of transportation, assistance upon arrival at the courthouse, and support through courthouse security. Counsel certainly

The Honorable Patrick J. Schiltz  
28 February 2025  
Page two

cannot provide these services. Whether U.S. Pretrial or the Marshal's Service can is unknown.

He is willing to participate in a remote virtual hearing, although it would have to be from his bedside as he is oxygen dependent due to his lung disease. It is doubtful that his hospice room could be rigged to comply with the Court's Order on virtual proceedings. United States District Court for the District of Minnesota Virtual Trial Handbook for Attorneys Rev. 2/5/2021 at 3. His movement is restricted to his bed and bathroom. His very soft-spoken speech is slow and halting, as he takes a breath or two before answering each question. Before his discharge, staff at M-Health Fairview Hospital described his condition in the very most serious terms.

If the Court were to request an independent medical evaluation of Defendant, he would be willing to participate. Defense counsel and prosecution counsel are willing to participate in a lawyers' status conference with the Court, if that would be of assistance.

#### CONCLUSION

Defendant's medical condition appears such as would preclude a court appearance at this time.

Very truly yours,

JOHN C. BRINK, LAWYER

/s/ John C. Brink  
John C. Brink  
A.R. #11587  
3730 Edmund Boulevard  
Minneapolis, Minnesota 55406  
Cellular: 612-382-6789  
Email: [johncharlesbrink@gmail.com](mailto:johncharlesbrink@gmail.com)

ATTORNEY FOR DEFENDANT

JCB:jb  
Enclosure

cc: Matthew D. Greenley  
Assistant United States Attorney  
(via email only w/wnc)